

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

ROBERT CLARENCE BRAMLETT,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. CIV-07-430-C
	)	
JUSTIN JONES, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**Report and Recommendation**  
**Concerning Oklahoma Attorney General's Status**

Respondent Justin Jones has moved to dismiss the Oklahoma Attorney General as a party.<sup>1</sup> The Petitioner did not respond to this motion, and the Attorney General is an improperly named respondent.<sup>2</sup> Accordingly, the Court should grant Mr. Jones' motion and dismiss the Oklahoma Attorney General as a party.

The Petitioner can object to this report and recommendation.<sup>3</sup> To do so, Mr. Bramlett must file an objection with the Clerk of this Court by July 17, 2007.<sup>4</sup> The failure to timely object would foreclose appellate review of the suggested ruling.<sup>5</sup>

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<sup>1</sup> Motion to Dismiss Oklahoma Attorney General as Party Respondent (May 22, 2007).

<sup>2</sup> *See Crowley v. Graham*, 172 F.3d 62, 1999 WL 72123, Westlaw op. at 1 (10th Cir. Feb. 16, 1999) (unpublished op.) (holding that the Utah Attorney General was not a proper party to a habeas action).

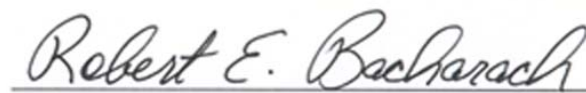
<sup>3</sup> *See* 28 U.S.C. § 636(b)(1) (2000).

<sup>4</sup> *See* W.D. Okla. LCvR 72.1.

<sup>5</sup> *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also Marshall v. Chater*, 75 F.3d 1421, 1426 (10th Cir. 1996) ("Issues raised for the first time in objections to the magistrate judge's recommendation are deemed waived.").

The referral to the undersigned is not terminated.

Entered this 27th day of June, 2007.

A handwritten signature in cursive script, reading "Robert E. Bacharach", written in black ink. The signature is positioned above a horizontal line.

Robert E. Bacharach

United States Magistrate Judge